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09/734,224	12/11/2000	Uwe Hansmann	DE919990103.US1	5431

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04/08/2004

James E. Murray
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EXAMINER

DUONG, THOMAS

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 04/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

1

Office Action Summary

Application No.

09/734,224

Applicant(s)

HANSMANN ET AL.

Examiner

Thomas Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The disclosure is objected to because of the following informalities:
 - "browse" appears to be "browser". Please make the appropriate corrections.
 - "centre" appears to be "center". Please make the appropriate corrections.
 - "analysing" appears to be "analyzing". Please make the appropriate corrections.
 - "behaviour" appears to be "behavior". Please make the appropriate corrections.

Drawings

3. The disclosure is objected to because of the following informalities:
 - "browse" appears to be "browser". Please make the appropriate corrections.
 - "centre" appears to be "center". Please make the appropriate corrections.
 - "analysing" appears to be "analyzing". Please make the appropriate corrections.
 - "behaviour" appears to be "behavior". Please make the appropriate corrections.
4. The drawings (fig.1-3 and 5) are objected to because they are not presentable. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
5. The drawing (fig.4) is objected to because it is not in English, therefore it cannot convey its purpose to Examiner. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

6. Claim 30 is objected to because of the following informalities:
 - *claim 30* appears to depend on *claim 24*.

During the course of prosecution, examiner will treat as such. Please make the appropriate correction.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claim 1-2, 7, 9, 14-15, 20, 22, 24-25, 29 and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
- Claims 1-2, 7, 14-15, 20, 24-25 and 29* recite the limitation "client's machine". There is insufficient antecedent basis for this limitation in the claim. Please keep the terminology consistent throughout the claims.
- Claims 9, 22 and 31* recite the limitation "center/top-down/bottom-up". There is insufficient antecedent basis for this limitation in the claim. Please keep the terminology consistent throughout the claims.
- Claims 2 and 25* recite the numbering "a" and "b". Please keep the terminology consistent throughout the claims.
9. Claims 1, 6-7, 9, 12-14, 19-20, 22, 24, 28-29 and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite because of the following informalities:
- "browse" (*claims 1, 6, 12-14, 24 and 29*) appears to be "browser". Please make the appropriate corrections.
 - "centre" (*claims 6, 9, 19, 22, 28 and 31*) appears to be "center". Please make the appropriate corrections.
 - "analysing" (*claims 7, 20 and 29*) appears to be "analyzing". Please make the appropriate corrections.
 - "behaviour" (*claims 7, 9, 20, 22, 29 and 31*) appears to be "behavior". Please make the appropriate corrections.

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10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Nguyen (US006584498B2).
12. With regard to claims 1-2, 11-12, 14-15 and 24-25, Nguyen reference discloses,
- *a) downloading of information from the network to the client* (Nguyen, col.1, line 50 – col.2, line 9; col.3, line 44 – col.4, line 16; fig.1)
 - *b) displaying of the information on the client's machine by a browse* (Nguyen, col.1, line 50 – col.2, line 9; col.3, line 44 – col.4, line 16; fig.1)
 - *c) automatically checking of the information displayed for the presence of links to other sets of information at a point no later than the display of the information in step b)* (Nguyen, col.1, line 50 – col.2, line 9; col.4, lines 26-40; fig.1)
 - *d) automatically assigning of priorities to the links identified* (Nguyen, col.4, lines 26-40; col.6, lines 49-59; col.7, lines 13-23; fig.1)
 - *e) automatically downloading to the client's machine of the sets of information assigned to the links in accordance with the priorities of the sets of information.* (Nguyen, col.1, line 50 – col.2, line 9; col.5, lines 58-63; col.6, lines 49-59; fig.1)
 - *a) selecting and displaying on the client's machine a set of information from step e)* (Nguyen, col.1, line 50 – col.2, line 9; col.5, lines 58-63; col.6, lines 36-46; fig.1)

- *b) repeating steps c) to e) of the method for this set of information.* (Nguyen, col.1, line 50 – col.2, line 9; col.5, lines 58-63; col.6, lines 36-46; fig.1)
13. With regard to claims 3-6, 16-19 and 26-28, Nguyen reference discloses the invention substantially as claimed,

See *claims 1, 14 and 24* rejection as detailed above.

Furthermore, Nguyen reference discloses,

- *including the steps of expanding the links to include priority information and the downloading the sets of information assigned to the links concerned in the sequence set by the priorities.* (Nguyen, col.1, line 50 – col.2, line 9; col.6, lines 49-59; fig.1)
 - *wherein the assigning of a priority by expanding the links to include priority information is performed by the author of the set of information concerned.*
(Nguyen, col.1, line 50 – col.2, line 9; col.6, lines 49-59; col.7, lines 13-23; fig.1)
 - *including the step of assigning priority to the links in a purely sequential order.*
(Nguyen, col.6, lines 49-59; col.7, lines 13-23; col.8, lines 1-19; fig.1)
14. With regard to claims 7, 20 and 29, Nguyen reference discloses the invention substantially as claimed,

See *claims 1, 14 and 24* rejection as detailed above.

Furthermore, Nguyen reference discloses,

- *including the steps of performing the assignment of priorities to the links by analysing user behaviour by means of a data mining program,* (Nguyen, col.6, lines 49-59; col.7, line 54 – col.8, line 9; fig.1)

- *storing all the sets of information downloaded from the network, or parts thereof, on the client's machine, (Nguyen, col.1, line 50 – col.2, line 9; col.5, lines 58-63; col.6, lines 49-59; fig.1)*
 - *using a data mining program for accessing this information and analysing it statistically, and creating a sequence of priorities for the links by using an add-on program or browse extension. (Nguyen, col.6, lines 49-59; col.7, line 54 – col.8, line 9; fig.1)*
15. With regard to claims 8-10, 13, 21-23 and 30-32, Nguyen reference discloses the invention substantially as claimed,
- See *claims 1, 14 and 24* rejection as detailed above.
- Furthermore, Nguyen reference discloses,
- *including the step of allowing the user to set priority options by means of a user profile. (Nguyen, col.1, line 50 – col.2, line 9; col.6, lines 49-59; col.7, lines 9-23; fig.1)*
 - *purely sequential downloading of links from centre/topdown/bottom-up; (Nguyen, col.6, lines 49-59; col.7, lines 13-23; col.8, lines 1-19; fig.1)*
 - *downloading of sets of information whose links include priorities down to a lowest priority which can be decided by the user; (Nguyen, col.1, line 50 – col.2, line 9; col.5, lines 58-63; col.6, lines 49-59; fig.1)*
 - *assigning priorities as a result of analysis of user behaviour, set by means of the following options:*
 - *specification of a lowest probability to be specified by user; calculation of changeover probability; calculation of site-content probability. (Nguyen, col.6, lines 49-59; col.7, line 54 – col.8, line 9; fig.1)*

- *including the step of selecting between allowing the user profile to automatically assigns a priority to the options selected or permitting the assignment of the priority to be performed by the user. (Nguyen, col.1, line 50 – col.2, line 9; col.6, lines 49-59; col.7, lines 9-23; fig.1)*

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:
- Pirolli et al. (US006098064A)
 - Saksena (US006023726A)
 - Horvitz (US006067565A)
 - Kavner (US006366947B1)
 - Horvitz (US006085226A)
 - Kisor et al. (US005978847A)
 - Saksena (US006055572A)
 - Datta (US006622168B1)
17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 703/305-1886. The examiner can normally be reached on M-F 7:30AM - 4:00PM.
- If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on 703/308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9306 for After Final communications.


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703/305-3900.

Thomas Duong (AU2143)

April 5, 2004



DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100